

**THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT**

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May 15 2020

SC Court of Appeals

Appeal from Charleston County
Court of Common Pleas

Jean Hoefler Toal, Circuit Court Judge

Opinion No. 2019-UP-413 (S.C. Ct. App. filed December 31, 2019)

Andrew and Kimberly McIntire,

Respondents,

v.

Sequest Development Company, Inc.; Red Bay Constructors Corp.;
Benzenberg Custom Cabinets, Inc.; Jonathan Marshall Construction;
Coastal Window & Door Center of Charleston, LLC; Carolina Window &
Millwork, LLC n/k/a Carolina Window & Millwork-Omni Glass Industries, LLC;
Southcoast Exteriors, Inc.; Michael Casteen d/b/a Casteen Custom Cabinets;
Quality Cedar Products, Inc. of Michigan d/b/a Michigan Prestain Co.;
Coastal Plumbing & Gas, LLC; Foam Insulation Co. Inc.; Jerry Comer d/b/a
Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.;
Carolina Pest Solutions, Inc.; New South Construction Supply, LLC,

Defendants,

Of which Sequest Development Company, Inc., is the

Petitioner.

**MOTION FOR EXTENSION OF TIME TO FILE/SERVE
PETITION FOR A WRIT OF CERTIORARI**

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Edward D. Buckley, Jr. (SC Bar No. 994)
Jason A. Daigle (SC Bar No. 73308)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Counsel for Petitioner

Other Counsel of Record:

Andrew K. Epting, Jr.

Jaan G. Rannik

ANDREW K. EPTING, JR., LLC

46A State Street

Charleston, South Carolina 29401

(843) 377-1871

Counsel for Respondents

NOW COMES Petitioner, Sequest Development Company, Inc. (“Sequest”), by and through its undersigned counsel, on the grounds stated below, and, pursuant to Rule 263(b), SCACR, as well as the Court’s order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, hereby for an extension of ten (10) days’ additional time to file/serve a petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

1. The Court of Appeals denied rehearing by order filed March 27, 2020.
2. Pursuant to Rule 242(c), SCACR (providing that cert petitions must be filed/served within thirty (30) days after the petition for rehearing is finally decided by the Court of Appeals), and the Court’s order of March 30, 2020, regarding Operation of the Appellate Courts During the Coronavirus Emergency (extending the due dates for all appellate court filings due on or after March 20, 2020, by twenty (20) days), the present deadline to file/serve a petition for a writ of certiorari is Monday, May 18, 2020.

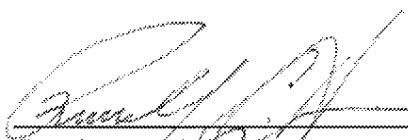
3. Due to other time commitments/disruptions (both work- and non-work-related, including those occasioned by the ongoing COVID-19 emergency), the undersigned asks for the Court’s allowance of ten (10) additional days, i.e., ten (10) days beyond the present May 18, 2020, deadline, to file/serve Sequest’s cert petition, submitting, most respectfully, that there is good cause to allow the

requested dispensation, as it is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Seaquest respectfully requests that this Honorable Court allow it an additional ten (10) days to file/serve its petition for a writ of certiorari in this matter, i.e., to extend the deadline for such petition through May 28, 2020. Additionally, Seaquest respectfully requests that the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,
YOUNG CLEMENT RIVERS, LLP

By:



Stephen L. Brown (SC Bar No. 66468)
Edward D. Buckley, Jr. (SC Bar No. 994)
Jason A. Daigle (SC Bar No. 73308)
Russell G. Hines (SC Bar No. 72100)
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Counsel for Respondent

Charleston, South Carolina

Dated: 5/15/20

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Jerry's Tile & Marble, LLC; Lowcountry Fireplaces, Inc.;
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Defendants,

Of which Sequest Development Company, Inc., is the

Petitioner.

PROOF OF SERVICE

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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Counsel for Petitioner

I, Russell G. Hines, of Young Clement Rivers, LLP, counsel for Respondent, hereby certify that the foregoing **MOTION FOR EXTENSION OF TIME TO FILE/SERVE PETITION FOR A WRIT OF CERTIORARI** was served on all other parties to this matter by depositing a copy of same in the U.S. Mail on May 15, 2020, properly posted for delivery to the following addressees:

Andrew K. Epting, Jr., Esquire
Jaan G. Rannik, Esquire
Andrew K. Epting, Jr., LLC
46A State Street
Charleston, SC 29401
Counsel for Respondents

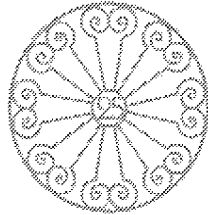
I also certify that, on this date, May 15, 2020, a copy of the foregoing **MOTION FOR EXTENSION OF TIME TO FILE/SERVE PETITION FOR A WRIT OF CERTIORARI** is being sent to the South Carolina Court of Appeals via fax and also via depositing a copy of the same in the U.S. Mail properly addressed to that court at P.O. Box 11629, Columbia, SC 29211.



Russell G. Hines

Charleston, South Carolina

Dated: 5/15/20



YCR LAW

Pollyana Bell
Project Assistant

Direct Dial: (843) 724-6616
Direct Fax: (843) 579-1369
E-mail: pbell@ycrlaw.com

May 15, 2020

VIA FACSIMILE & U.S. MAIL

Honorable Daniel E. Shearouse, Clerk
South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211-1330

RECEIVED

May 15 2020

SC Court of Appeals

Re: Andrew and Kimberly McIntire v. SeaQuest Development Company, Inc
Appellate Case No. 2017-001270
Case No.: 2016-CP-10-1833
Claim No.: 100-00-002622
Date of Loss: 7/24/2008
YCR File: 9795-20160374

Dear Mr. Shearouse:

Please find enclosed an original and one (1) copy of a Motion for Extension of Time to File/Serve Petition for a Writ of Certiorari as well as the original and one (1) Proof of Service. Kindly return one (1) court stamped copy to us in the self-addressed envelope.

By copy of this letter we are sending one (1) copy to the Court of Appeals.

If additional copies or a filing fee are needed please let us know. With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

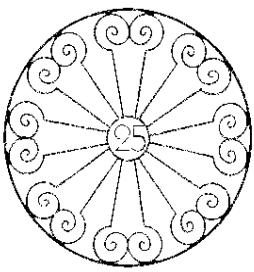
Pollyana Bell
Project Assistant

/pbb

Enclosures

cc via fax & U.S. mail: Jenny Abbott Kitchings, Clerk of Court, SC Court of Appeals

cc via e-mail & U.S. mail: Andrew K. Epting, Jr., Esquire



YCR LAW

Young Clement Rivers, LLP

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Special Task Litigation • Tax, Estate Planning and Probate
Trucking and Transportation • Workers Compensation

THE FOLLOWING PAGES ARE FOR IMMEDIATE DELIVERY

To: 18037341839
From: pbell@ycrlaw.com
Date: May 15, 03:37:29 PM EDT
Subj: Appeal No. 171270; McIntire v. SeaQuest
Pages: 8

Please find attached a Motion & Proof of Service for filing in the above-referenced matter. A hard-copy has been placed in the mail.

Thank you,
Pollyana Bell
Project Assistant
Commercial Litigation Practice Group
Phone:(843)720-5488 | Fax:(843)579-1369

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In view of current conditions and for the foreseeable future, YCR will be operating pursuant to its plan for continuous business services. With the imperative of safety in mind, our attorneys and staff will be working remotely as well as in our offices. In any event, we expect and intend to be able to respond in a timely manner to the needs and the requirements of clients, courts, colleagues, and friends. Thank you.

Young Clement Rivers, LLP
<http://www.ycrlaw.com>
Charleston: (843) 577-4000

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